

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ROSE AMOUGOU NGASSAM

Plaintiff,

v.

**MICHAEL CHERTOFF,
Secretary of Department of Homeland
Security; EMILIO GONZALEZ,
Director of United States Citizenship &
Immigration Services, F. GERARD
HEINAUER, Director of the Nebraska
Service Center of United States
Citizenship & Immigration Services**

Defendants.

Case No: 07 Civ. 8172 (LLS)

ORDER

THIS MATTER having come before the Court by application of the plaintiff, for a preliminary injunction and permanent injunctive relief compelling the named government agencies to comply with all federal regulations governing the issuance of I-730 asylee-relative petitions, and accordingly, to grant the asylee-relative petitions by Plaintiff, on behalf of her seven children, Is hereby Granted.

The Court Having FOUND that

Plaintiff's children are eligible for Asylee Relative Status under 8 C.F.R. § 208.21, and that the named government agencies unlawfully withheld and unreasonably delayed Plaintiff's reunification with her children in violation of § 706 (1) of the Administrative Procedures Act,

It is hereby DECLARED that

That Defendants' actions violated the Fifth Amendment to the United States Constitution, the Immigration and Nationality Act, regulations enacted thereunder, and the Administrative Procedures Act;

And it is hereby **ORDERED** that:

1. The agency's decision is set aside
2. Plaintiff's asylee-relative petitions are granted;
3. Defendants facilitate the expeditious visa processing of all of the children's visas and Plaintiff's prompt reunification with all six of her children who remain in Cameroon.
4. Defendants pay counsel fees and costs to Plaintiff;
5. The Court retains jurisdiction of this case and the parties for review purpose;
6. A copy of this order shall be served upon all counsel within _____ days of receipt by Plaintiff.

Date

Hon. Louis L. Stanton, U.S.D.J.